

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
JACKSON DIVISION

UNITED STATES OF AMERICA

PLAINTIFF

v.

CRIMINAL NO. 3:06cr119JS

ADRIAN WILSON

DEFENDANT

**AGREED ORDER OF FORFEITURE OF REAL PROPERTY
LOCATED AT 1200 STARLIGHT COURT, CEDAR HILL, TEXAS**

WHEREAS, on February 12, 2007, this Court entered an Agreed Preliminary Order of Forfeiture, ordering Defendant, Adrian Wilson, to forfeit the following properties:

Personal Property
\$368,000.00 in U. S. Currency

Real Property
1200 Starlight Court
Cedar Hill, Texas

WHEREAS, the United States caused to be published in the *Clarion Ledger* and in the *Daily Commercial Record*, both newspapers of general circulation, a notice of this forfeiture and of the intent of the United States to dispose of the property in accordance with the law and as specified in the Agreed Preliminary Order of Forfeiture, and further notifying all third parties of their right to petition the Court within thirty (30) days for a hearing to adjudicate the validity of their alleged legal interest in the property, and;

WHEREAS, on March 27, 2007, Gary D. Krier, President of Krier Custom Homes, LLC, filed a Verified Statement of Interest and Claim alleging that Forty Three Thousand, One Hundred Sixty Dollars and 11/100 (\$43,160.11) of the Four Hundred Fifty Eight Thousand, Four Hundred Thirty Dollars and 43/100 (\$458,430.43), which constitutes substitute assets received from the sale of 1200 Starlight Court, Cedar Hill, Texas and subject to forfeiture to the United States, is the

property of Krier Custom Homes, LLC, and that Krier Custom Homes, LLC, is an innocent owner of this property.

WHEREAS, the United States has determined, that Krier Custom Homes, LLC, has a valid legal interest in Forty Three Thousand, One Hundred Sixty Dollars and 11/100 (\$43,160.11) of the Four Hundred Fifty Eight Thousand, Four Hundred Thirty Dollars and 43/100 (\$458,430.43) proceeds which constitutes substitute assets received from the sale of 1200 Starlight Court, Cedar Hill, Texas;

WHEREAS, the Court finds that Krier Custom Homes, LLC, has a legal interest in the property that is subject to forfeiture pursuant to Section 853 (n)(6), Title 21, United States Code;

WHEREAS, Joseph O. Windham and Melanie D. Windham have filed a petition in this court, claiming an interest in the funds by virtue of a judgment they have in the amount of \$198,000 against Krier Construction Company and Gary D. Krier;

WHEREAS, on July 23, 2007, Gary Krier filed a Voluntary Petition under Chapter 7 of the United States Bankruptcy Code, in the United States Bankruptcy Court for the Northern District of Texas, Case No. 07-33460-sgj-7. Diane G. Reed was the appointed Chapter 7 Trustee in the Gary Krier case, and continues in that capacity;

WHEREAS, Gary Krier owns or controls 100% of Krier Custom Homes, LLC, and the stock of that company is an asset to be administered by Diane G. Reed, trustee;

WHEREAS, Diane G. Reed has agreed to administer the funds of Krier Custom Homes, LLC, through the bankruptcy estate of Gary Krier, and Joseph O. Windham and Melanie D. Windham have agreed to this disbursement and Gary Krier has agreed to this disbursement;

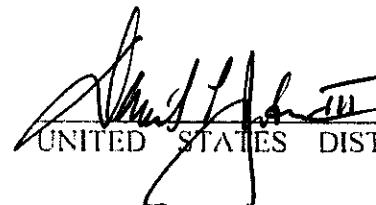
WHEREAS, the United States has agreed to release to Diane G. Reed the funds which would otherwise go to Krier Custom Homes, LLC, in the amount of Forty Three Thousand, One

Hundred Sixty Dollars and 11/100 (\$43,160.11) from the Four Hundred Fifty Eight Thousand, Four Hundred Thirty Dollars and 43/100 (\$458,430.43), which constitutes substitute assets received from the sale of 1200 Starlight Court, Cedar Hill, Texas, as satisfaction of the claim of Krier Custom Homes, LLC;

IT IS THEREFORE ORDERED AND ADJUDGED that Krier Custom Homes, LLC, has established a legal interest in and to the sum of Forty Three Thousand, One Hundred Sixty Dollars and 11/100 (\$43,160.11) which shall be released to Diane G. Reed, as satisfaction of Krier Custom Homes, LLC's claim from the Four Hundred Fifty Eight Thousand, Four Hundred Thirty Dollars and 43/100 (\$458,430.43) which constitutes substitute assets received from the sale of 1200 Starlight Court, Cedar Hill, Texas;

IT IS FURTHER ORDERED AND ADJUDGED that in all other respects, each party shall bear its own costs and attorney fees.

SO ORDERED AND ADJUDGED this the 9th day of MAY, 2008.


UNITED STATES DISTRICT JUDGE

Agreed:

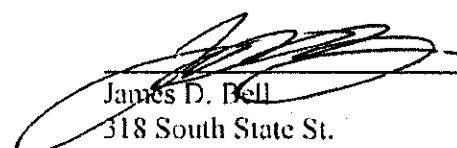
Jerry L. Rushing

Jerry L. Rushing
Assistant U.S. Attorney
188 East Capital Street, Suite 500
Jackson, MS 39201-2160


Gary D. Krier, President
of Krier Custom Homes, LLC
1601 Promontory Drive
Cedar Hill, Texas 75104

/s/ Diane G. Reed

Diane G. Reed, Trustee
604 Water Street
Waxahachie, Texas 75165
972-938-7334, 972-923-0430 Fax
Bankruptcy Estate of Gary D. Krier


James D. Bell
318 South State St.
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601-981-9221
Attorney for Joseph O. and Melani D.
Windham